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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 GOOGLE LLC,

12 Plaintiff,

13 vs.

14 SONOS, INC.,

15 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 209)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No. 209) filed in connection with Sonos’s Patent Showdown Motion for Summary Judgment (“Motion for Summary Judgment”) (Dkt. No. 208). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Motion for Summary Judgment	Portions Highlighted in Yellow	Portions highlighted in yellow	Google
Declaration of Dr. Kevin C. Almeroth in Support of Motion (“Almeroth Declaration”)	Entire Document	Portions outlined in blue boxes	Google
Exhibit B to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit B”)	Entire Document	Portions outlined in red boxes	Google
Exhibit D to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit D”)	Entire Document	Entire Document	Google
Exhibit F to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit F”)	Entire Document	Entire Document	Google
Exhibit G to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit G”)	Entire Document	Entire Document	Google
Exhibit H to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit H”)	Entire Document	Portions outlined in red boxes	Google
Exhibit I to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit I”)	Entire Document	Entire Document	Google

1	Exhibit L to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit L”)	Entire Document	Entire Document	Google
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3	Exhibit M to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit M”)	Entire Document	Entire Document	Google
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5	Exhibit N to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit N”)	Entire Document	Entire Document	Google
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7	Exhibit O to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit O”)	Entire Document	Entire Document	Google
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9	Exhibit P to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit P”)	Entire Document	Entire Document	Google
10				
11	Exhibit Q to the Declaration of J. Dan Smith III in Support of Motion for Summary Judgment (“Exhibit Q”)	Entire Document	Entire Document	Google

12 4. I understand that the Court analyzes sealing requests in connection with motions for
13 summary judgment pursuant to the “compelling reasons” standard. *See, e.g., Edwards Lifesciences*
14 *Corp. v. Meril Life Scis. Pvt. Ltd.*, No. 19-CV-06593-HSG, 2021 WL 5233129, at *4 (N.D. Cal. Nov.
15 10, 2021); *Baird v. BlackRock Institutional Tr. Co., N.A.*, No. 17-CV-01892-HSG, 2021 WL 105619,
16 at *5 (N.D. Cal. Jan. 12, 2021).

17 5. The highlighted portions of Sonos’s Motion for Summary Judgment as well as Exhibits
18 D, F, G, I, L, M, N, O, and P contain references to Google’s confidential business information and
19 trade secrets, including details regarding source code, architecture, and technical operation of
20 Google’s products. The specifics of how these functionalities operate is confidential information that
21 Google does not share publicly. Thus, I understand that the public disclosure of such information
22 could lead to competitive harm to Google, as competitors could use these details regarding the
23 architecture and functionality of Google’s products to gain a competitive advantage in the marketplace
24 with respect to their competing products. In addition, Exhibits N and O are excerpts of deposition
25 transcripts designated “HIGHLY CONFIDENTIAL BUSINESS INFORMATION” pursuant to a
26 protective order entered in the International Trade Commission matter *Certain Audio Players and*
27 *Controllers, Components Thereof, and Products Containing Same*, Inv. No. 337-TA-1191. A less
28 restrictive alternative than sealing would not be sufficient because the information sought to be sealed

1 is Google's confidential business information and trade secrets but has been utilized by Sonos in
2 support of Sonos's Motion for Summary Judgment.

3 6. The portions of the Almeroth Declaration outlined in blue boxes and the portions of
4 and Exhibits B and H outlined in red boxes contain references to Google's confidential business
5 information and trade secrets, including details regarding source code, architecture, and technical
6 operation of Google's products. The specifics of how these functionalities operate is confidential
7 information that Google does not share publicly. Thus, I understand that the public disclosure of such
8 information could lead to competitive harm to Google, as competitors could use these details
9 regarding the architecture and functionality of Google's products to gain a competitive advantage in
10 the marketplace with respect to their competing products. Although Sonos's Administrative Motion
11 sought to seal the entirety of these exhibits, Google seeks to seal only the portions outlined in blue
12 boxes in the unredacted version of the Almeroth Declaration and the portions outlined in red boxes in
13 the unredacted version of Exhibits B and H filed in connection with this Declaration. A less
14 restrictive alternative than sealing would not be sufficient because the information sought to be sealed
15 is Google's confidential business information and trade secrets but has been utilized by Sonos in
16 support of Sonos's Motion for Summary Judgment.

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